

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 1058 – HB 1227

March 12, 2013

SUMMARY OF ORIGINAL BILL: Adds the Government Operations Committees of the Senate and House of Representatives to the list of legislative committees required to receive a report from the administrative director of the courts on judicial appointments. Also, replaces the Judiciary Committee of the House of Representatives with the Civil Justice Committee in the list of legislative committees that receive the report.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (004526): Deletes all language after the enacting clause.

Directs the judicial performance evaluation commission to establish a judicial performance evaluation program and to adopt the standards, criteria, and methods by which it will evaluate the performance of appellate court judges.

Creates a new judicial performance evaluation commission comprised of three attorneys and one non-attorney appointed by the Speaker of the Senate, three attorneys and one non-attorney appointed by the Speaker of the House of Representatives, and one attorney jointly appointed by both Speakers.

Repeals the requirement that the appointing authorities for the commission shall make appointments approximate to the population in the state with respect to race and gender.

Provides transition terms for the new members which will result in staggered terms. All terms after the transition terms shall be six-year terms.

Repeals the requirement that the commission prepare a final report, which may include the final scores for each appellate judge. Repeals the requirement that the commission's final report be made public, published in a daily newspaper of general circulation.

Establishes that if the commission makes a recommendation "for replacement", then a vacancy shall be created and the eight-year term shall be filled in accordance with § 17-4-112 or § 17-4-113.

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FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumption for the bill as amended:

- According to the Administrative Office of the Courts (AOC), the bill will have no impact on the AOC as the commission will have the same number of members and the work of the commission will be the same.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

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